

West Thames College Staff Privacy Notice

Privacy Notice (How We Use Staff Personal Information)

This privacy notice has been prepared in accordance with the General Data Protection Regulation (EU) 2016/679 (“GDPR”) and the Data Protection Act 2018 and explains how West Thames College collects, uses and shares your personal data and your rights in relation to the personal data we hold. This Privacy Notice concerns our processing of personal data of past, present and prospective members of staff, whether permanent, temporary or peripatetic employees of West Thames College.

It will also apply to Governors, volunteers and those undertaking work experience at the college.

West Thames College is the Data Controller of your personal data and is subject to current data protection legislation.

How We Collect Your Information

We may collect your personal data in a number of ways, for example:

- from the information you provide to us when you apply for a job at the college
- from other bodies as part of our recruitment process (e.g. a DBS check)
- by completion of the annual personal data collection form
- in various other ways as you interact with us during your time as an employee of the college, for the various purposes set out below
- from third parties, for example from your previous or current employer, who may provide a reference about you.

The Type of Employee Information We Collect

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain college workforce information to us or if you have a choice in this.

We will collect personal information from you when you are a new starter and become an employee of the college and we may collect the following types of personal data about you:

- personal information, such as your name, date of birth, DfE Registration Number, national insurance number, nationality and personal hobbies or interests.
- contact information such as address, email address and phone number.
- special categories of data including characteristics information such as gender, age, nationality, ethnic group
- contract information, such as start date, hours worked, post, role and salary information.
- work absence and attendance information, such as the reasons for absence and number of occasions
- qualifications and, where relevant, subjects taught
- information required for the purpose of processing payroll
- information required by statutory bodies in order to fulfil our obligations as employer, i.e. HMRC, DfE, Pension Bodies
- medical information, including mental health information
- pre-employment checks, including European Economic Area check, Disclosure Barring Service check, Prohibition from Management check, Prohibition from

Teaching check, Check of Barred List/List 99, Safeguarding, ID check information and pre-employment Health Questionnaire.

- information regarding your employment history, including education, training and development information
- Continuing Professional Development and performance management information, including Observation of Teaching, Learning and Assessment information
- data on the use of email and access to the internet

How We Use This Information

The purposes for which we may use personal data, including sensitive personal data, we collect during an employee's association with us are to enable us to:

- make reasoned decisions regarding recruitment and employment at the college
- enable the development of a comprehensive picture of the workforce and how it is deployed
- safeguard students
- maintain employee records in an accurate manner
- inform the development of recruitment and retention policies
- enable individuals to be paid
- make decisions regarding pension and other legal payroll deductions
- make relevant returns to ESFA, Ofsted and DfE as and when legally required to do so
- manage and develop the workforce appropriately
- make relevant management decisions throughout the duration of employment
- take appropriate action, such as in dealing with grievances, disciplinary and competency issues
- keep an audit trail of the checks we have made and our relationship with you in case of employment claims
- communicate with you, including for marketing purposes
- to give access to the college systems and services

The Lawful Basis On Which We Process and Use Your Information

We process this information in order to fulfil our contractual obligations and for the performance of our business as a general further education college and under our legal obligation. In this respect we use your personal data for the following:

- to fulfil the employment contract
- HMRC, tax and National Insurance requirements (see www.gov.uk/pay-for-employers)
- Pension Scheme requirements

We may also process your personal data for compliance with our legal obligations. In this respect we may use your personal data for the following:

- to meet our compliance and regulatory obligations, such as compliance with Safeguarding requirements
- in order to assist with investigations, including criminal investigations, carried out by the police and other relevant authorities

Where we collect your special category personal information, we do this on the basis that it is necessary for the purposes of carrying out our obligations in the field of employment law. Special categories of personal data are personal data that reveal a person's racial or ethnic origin, political opinions, religions or philosophical beliefs, trade union membership, genetic data (i.e. information about their inherited or acquired characteristics, information about their physical, physiological or behavioural characteristics (such as facial images and

fingerprints), physical or mental health, sexual life or sexual orientation and criminal records).

We may process personal data where:

- it is necessary for medical purposes, such as medical diagnosis, provision of health or social care, provision of treatment, or a contract with a health professional
- it is necessary to protect your or another person's vital interests; or
- we have your specific, or, where necessary, explicit consent to do so

Storing Employee Data

We will not keep your personal information for longer than we need it for the purposes we have explained in this Privacy Notice.

When you apply for a job with us, but your application is unsuccessful, we will keep your personal information for 1 year.

When you are an employee, we will keep your personal information for as long as you work with us and then, after you leave, we will keep your personal information for 5 years. Pension data may be held for longer in line with pension regulations.

Sharing Information With Others

For the purposes referred to within this Privacy Notice and relying on the bases for processing as set out above, we may share your personal data with certain third parties. You are given the opportunity to opt out of some of these data sharing arrangements.

Unless an opt-out is in place, we may disclose limited and relevant personal data to a variety of recipients including:

- HMRC
- The Department for Education
- Teachers' Pension Scheme
- Local Government Pension Scheme
- London Borough of Hounslow
- DBS services
- future employers, through reference requests
- regulatory bodies, such as Ofsted
- Government agencies where there is an obligation to report, e.g. for Safeguarding purposes
- Internal and External Auditors
- Department for Work and Pensions
- Office of National Statistics

Why We Share Employee Information

We do not share information about our employees with anyone without consent unless the law and our policies allow us to do so or in order to carry out legitimate functions.

We share information with HMRC, DfE, Teachers' Pension Scheme and the Local Government Pension Scheme on a statutory basis.

Automated Decision Making

We do not make any decision about you based solely on automated decision making.

How We Transfer Your Personal Information Outside Of Europe

We do not store or transfer your personal data outside of Europe.

Requesting Access To Your Personal Data

You have the following rights:

- to obtain access to, and copies of, the personal data that we hold about you
- to require that we cease processing your personal data if the processing is causing you damage or distress
- to require us to correct the personal data we have about you if it is incorrect
- to require us to erase your personal data
- to require us to restrict our data processing activities, and, where processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal.
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of transmitting that personal data to another data controller
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

If you have given your consent and wish to withdraw it please contact staffdata@west-thames.ac.uk Please note that where our processing of your personal data relies on your consent and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and/or it may affect the provision of those services.

Under data protection legislation, you have the right to request access to information we hold about you. To make a request for your personal information, contact staffdata@west-thames.ac.uk

Further Information

If you have a concern about the way we are collecting or using your personal data, or wish to discuss anything in this Privacy Notice please contact staffdata@west-thames.ac.uk in the first instance.

You can also contact the Information Commissioner's Office at <https://ico.org.uk/concerns>